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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,709	08/23/1999	CULLY T. CEDERBERG	S855-001-PAT	5585

7590

11/26/2001

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EXAMINER

NGUYEN, CHI Q

ART UNIT

PAPER NUMBER

3635

DATE MAILED: 11/26/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/382,709

Applicant(s)

CEDERBERG, CULLY T.

Examiner

Chi Q Nguyen

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-6 and 13-17 is/are allowed.
- 6) ☒ Claim(s) 1,7-9,11,12 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7-9 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Ridge (US 5,758,458).

With regards to claims 1, 7-9 and 18, Ridge discloses a doorframe comprising upright side extruded jambs 120, a horizontal head jamb (unlabelled) having two outer ends and disposed between two upright side jambs 120 which including outer, intermediate, and inner element (see figs. 2-3), means 11 for securing to a rough door opening.

3. Claims 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Winston (US 5,365,708).

With regards to claims 11 and 12, Winston teaches the door jamb as claimed including the upright side jamb components and horizontal head jamb components each being formed of a set of first and second members 12, 14, the first member 12 formed with the thickened and reduced thickness portions defining a track wherein the second member 14 is set, both members having an integral decorative edge (i.e. the corners are rounded which is decorative configuration), and there is a groove 40 which may inherently be used for nailing. The first member further comprises two inter-fitted parts

Art Unit: 3635

12, 16. The doorjamb is made of wood and is frame for installation within a wall opening (figs. 1, 2, and 6).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ridge (US 5,758,458) in view of Australian Patent 200,786.

With regards to claim 10, Ridge disclosed the structural elements for door jambs (see paragraph 2) except for side jambs and outer ends of head jamb are connected using a corner key. Australian Patent 200,786 teaches a traditional joint formation between those components of Ridge be mitered a 45 degree angled corners as illustrated by the Australian Patent in order to provide neat traditionally styled corners. The motivation for doing so would have been to provide not only for the neat traditionally styled corners but also for securement for the whole doorframe.

***Allowable Subject Matter***

6. Claims 2-6 and 13-17 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art fail to disclose or render obvious the claimed combination including an intermediate element is S-shaped in cross section as specifically set forth in the claims.

Claims 4-6, and 14 are somewhat directly and indirectly depend on allowed claims.

Art Unit: 3635

***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 7-9, 11-12 and 18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. Any inquiry concerning this communication should be directed to Chi Q. Nguyen  
Whose telephone number is (703) 605-1224, Monday-Thursday (7:00-5:00), Fridays off  
or examiner's supervisor Carl D. Friedman at (703) 308-0839.

CQN 11/19/01



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600